

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4146 of 1997

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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PATEL JAYESH DHUDABHAI

Versus

OIL & NATURAL GAS CORPN LTD.

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Appearance:

MR TR MISHRA for Petitioners

MR RAJNI H MEHTA for Respondent No. 2

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CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 30/06/97

ORAL JUDGEMENT

Leave to delete respondent No. 3. Rule returnable today. Learned advocate Mr. R.H. Mehta appears and waives service of rule on behalf of respondents Nos. 1 and 2.

2. Petitioners herein claim to be labourers engaged by respondent Corporation through a Labour Contractor.

The petitioners, by filing this petition, have prayed for a declaration that the petitioners are deemed to be the regular employees of the respondent Corporation.

3. The claim made by the petitioners is contested by learned advocate Mr. R.H. Mehta appearing for the Corporation. He has submitted that a reference being ITC No. 11 of 1997 in respect of the similar claim made by certain contract labourers is pending before the Industrial Tribunal, Ahmedabad.

4. In view of the above reference pending before the Industrial Tribunal, Ahmedabad, it would be in the interest of justice that the petitioners are also impleaded in the said reference as claimants. Petitioners be impleaded as claimants in the aforesaid reference being ITC No. 11 of 1997 pending before the Industrial Tribunal, Ahmedabad. It is clarified that this order may not be treated as an admission as to the correctness of the claim made by the petitioners, by the respondent Corporation nor should it be treated as a precedent. Rule is made absolute accordingly. There shall be no order as to costs.

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\*Vyas